

Amendment No. _____

Signature of Sponsor

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Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2671

House Bill No. 2817*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1307, is amended by adding the following new subsection:

(g) It is an exception to the application of subsection (a) that a person is carrying, whether openly or concealed, a handgun and:

(1) The person meets the qualifications for the issuance of an enhanced handgun carry permit under § 39-17-1351(b) and (c). For purposes of this subdivision (g)(1), "qualifications" does not include completion of an application under § 39-17-1351(b) and (c);

(2) The person lawfully possesses the handgun; and

(3) The person is in a place where the person has a right to be.

SECTION 2. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting the subsection and substituting instead the following:

(a) Notwithstanding any law or any ordinance or resolution adopted by the governing body of a city, county, or metropolitan government, including any ordinance or resolution enacted before April 8, 1986, that prohibits or regulates the possession, transportation, or storage of a firearm or firearm ammunition, a person who has a valid enhanced handgun carry permit or concealed handgun carry permit or who lawfully carries a handgun pursuant to § 39-17-1307(g) may, unless expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the person's motor



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vehicle, as defined in § 55-1-103, while on or utilizing any public or private parking area if:

(1) The person's motor vehicle is parked in a location where the motor vehicle is permitted to be; and

(2) The firearm or ammunition being transported or stored in the motor vehicle:

(A) Is kept from ordinary observation if the person is in the motor vehicle; or

(B) Is kept from ordinary observation and locked within the trunk, glove box, or interior of the person's motor vehicle or a container securely affixed to the motor vehicle if the person is not in the motor vehicle.

SECTION 3. Tennessee Code Annotated, Section 39-17-1313(b), is amended by deleting the language "by the holder of a valid handgun carry permit in the permit holder's motor vehicle" wherever it appears and substituting instead the language "by a person in the person's motor vehicle pursuant to subsection (a)".

SECTION 4. Tennessee Code Annotated, Section 39-17-1313(c)(1), is amended by deleting the language "permit holder" and substituting instead the language "person".

SECTION 5. Tennessee Code Annotated, Section 39-17-1313(d), is amended by deleting the language "An enhanced handgun carry permit holder or concealed handgun carry permit holder" and substituting instead the language "A person" and by deleting the language "enhanced handgun carry permit holder or concealed handgun carry permit holder" and substituting instead the language "person".

SECTION 6. Tennessee Code Annotated, Section 39-17-1351(n)(1), is amended by deleting the last sentence of the subdivision and substituting instead:

The permit holder shall have the permit in the holder's immediate possession at all times when carrying a handgun in a location or manner that would be prohibited if not for the

person's status as an enhanced handgun carry permit holder and shall display the permit on demand of a law enforcement officer under such circumstances.

SECTION 7. Tennessee Code Annotated, Section 39-17-1366(e), is amended by deleting the subsection and substituting instead:

(e) The permit holder shall have the permit in the holder's immediate possession at all times when carrying a handgun in a location or manner that would be prohibited if not for the person's status as a concealed handgun carry permit holder and shall display the permit on demand of a law enforcement officer under such circumstances.

SECTION 8. Tennessee Code Annotated, Section 39-14-105(a)(1), is amended by deleting the language "or less" and substituting instead "or less, except when the property obtained is a firearm.

SECTION 9. Tennessee Code Annotated, Section 39-14-105(a)(2), is amended by deleting the language "if the value of the property" and substituting instead "if the property obtained is a firearm worth less than two thousand five hundred dollars (\$2,500), or if the value of the property".

SECTION 10. Tennessee Code Annotated, Section 39-14-105(d), is amended by deleting the subsection and substituting instead the following:

(d) Theft of a firearm shall be punished by confinement for not less than one hundred eighty (180) days in addition to any other penalty authorized by law.

SECTION 11. Tennessee Code Annotated, Section 40-35-114, is amended by adding the following as a new subdivision:

(29) The offense involved the theft of a firearm from a motor vehicle, as defined in § 55-1-103.

SECTION 12. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection:

(x)

(1) For the offenses listed in subdivision (x)(2) committed on or after July 1, 2020, there shall be no release eligibility until the person has served eighty-five percent (85%) of the sentence imposed by the court, less sentence credits earned and retained. However, no sentence reduction credits authorized by § 41-21-236, or any other law, shall operate to reduce below seventy percent (70%) the percentage of sentence imposed by the court such person must serve before becoming release eligible.

(2) The offenses to which this subsection (x) is applicable are:

(A) Unlawful possession of a firearm by a person convicted of a felony crime of violence, an attempt to commit a felony crime of violence, or a felony involving use of a deadly weapon, under § 39-17-1307(b)(1)(A);

(B) Unlawful possession of a firearm by a person convicted of a felony drug offense, under § 39-17-1307(b)(1)(B);

(C) Unlawful possession of a handgun by a person convicted of a felony, under § 39-17-1307(c); and

(D) Unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun, under § 39-17-1320.

SECTION 13. This act shall take effect July 1, 2020, the public welfare requiring it, and applies to criminal offenses committed on or after that date.

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AMEND Senate Bill No. 2194

House Bill No. 2261*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Reentry Stabilization Act of 2020."

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 35, Part 5, is amended by adding the following as a new section:

40-35-5__.

(a) There is created within the department of correction the office of reentry services.

(b) The purpose of the office is to promote the successful reentry of criminal offenders whose sentences have expired, including, but not limited to:

(1) Serving as a clearinghouse of resources to assist in successful reentry;

(2) Coordinating the provision of post-release resources and services to offenders and related persons;

(3) Using case workers to serve as a point of contact to offenders and related persons to encourage successful reentry; and

(4) Working with other departments, agencies, and entities, including nonprofit public benefit corporations, to coordinate reentry services for offenders and related persons.

(c) Any department, agency, board, commission, or other division of state government may provide staff and other assistance to the office, and all departments,



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agencies, boards, commissions, and other divisions of state government must fully cooperate with the office and provide staff support and other assistance as reasonably required, subject to existing law.

SECTION 3. Tennessee Code Annotated, Section 40-28-115(i), is amended by deleting the language "ten (10)" and substituting instead "six (6)".

SECTION 4. Tennessee Code Annotated, Section 40-28-116(b), is amended by deleting the period at the end of the subsection and substituting instead the following:

; except that the board shall not require a condition or limitation to be completed prior to release on parole unless the department of correction recommends completion of the condition or limitation prior to release on parole.

SECTION 5. Tennessee Code Annotated, Section 40-28-122(c)(1), is amended by deleting the subdivision and substituting instead the following:

(1) The board shall, within a reasonable time, act upon the charges, and may, if it sees fit:

(A) For a revocation of parole that does not involve a new felony or Class A misdemeanor, require the prisoner to temporarily serve a term of incarceration not to exceed:

- (i) Fifteen (15) days for the first revocation;
- (ii) Thirty (30) days for the second revocation;
- (iii) Ninety (90) days for the third revocation; or

(iv) One (1) year, or the remainder of the prisoner's sentence, whichever is shorter, for a fourth or subsequent revocation; or

(B) For a revocation of parole that involves a new felony or Class A misdemeanor, require the prisoner to serve out in prison the balance of the maximum term for which the prisoner was originally sentenced, calculated from the date of delinquency, or such part thereof, as it may determine, or impose a punishment as it deems proper, subject to § 40-28-123.

SECTION 6. Tennessee Code Annotated, Section 40-29-107, is amended by deleting subsections (a) through (l), substituting instead the following, and redesignating the remaining subsections accordingly:

(a) The department of correction shall develop a certificate of employability application that may be submitted by a defendant who has been convicted of a felony offense. A defendant may apply for a certificate of employability no more than fifteen (15) days prior to the expiration of a defendant's incarceration or at any time during or after a defendant's period of probation or parole. The department shall issue a certificate of employability to a defendant if:

(1) Since the defendant's conviction for a felony, the defendant has demonstrated a strong work ethic and an honest character;

(2) The defendant pursued technical and educational opportunities, where appropriate, during or, if applicable, after the defendant's incarceration;

(3) The defendant has not been convicted of a violent offense, as defined in § 40-35-120(d), or, if the defendant has been convicted of a violent offense, at least five (5) years have passed since the defendant was released from incarceration for the violent offense and the defendant has not been convicted of a new criminal offense during that time; and

(4) Granting the certificate of employability would not pose an unreasonable risk to public safety or the safety of any individual.

(b) At least thirty (30) days before issuing a certificate of employability to a defendant, the department shall notify the district attorney general in the judicial district in which the defendant was convicted so that the district attorney general may provide any comments regarding whether a certificate should be issued.

(c) Upon receiving an application for a certificate of employability, the department shall notify any known victims of crimes perpetrated by the defendant by sending notice to the last known address of such victims, if known.

(d) The commissioner of correction, or an assistant commissioner who has been designated by the commissioner, has the sole discretion to determine whether the criteria under subsection (a) for issuing a certificate of employability have been met.

(e) The department shall revoke a certificate of employability issued under this section if the defendant to whom the certificate of employability was issued is convicted of a felony offense committed subsequent to the issuance of the certificate of employability.

(f) A cause of action may not be brought against the state based upon the department of correction's issuance or revocation of a certificate of employability.

SECTION 7. Tennessee Code Annotated, Title 40, Chapter 29, Part 1, is amended by adding the following as a new section:

40-29-1__.

(a) A cause of action may not be brought against an employer or contracting party for negligent hiring, training, retention, or supervision of an employee or independent contractor based solely upon the fact that the employee or independent contractor has been previously convicted of a criminal offense.

(b) In a cause of action against an employer or contracting party for negligent hiring, training, retention, or supervision of an employee or independent contractor, evidence that the employee or independent contractor has been previously convicted of a criminal offense is not admissible.

(c) Subsections (a) and (b) do not apply when:

(1)

(A) The employer or contracting party knew or reasonably should have known of the employee's or independent contractor's prior conviction; and

(B) The employee or independent contractor was previously convicted of:

(i) An offense that was committed while performing duties substantially similar to those reasonably expected to be performed in the employment or under the contract, or under conditions substantially similar to those reasonably expected to be encountered in the employment or under the contract; or

(ii) A violent offense, as defined in § 40-35-120(d), or a violent sexual offense, as defined in § 40-39-202; or

(2)

(A) The cause of action concerns the misuse by an employee or independent contractor of the funds or property of a person other than the employer or contracting party;

(B) On the date the employee or independent contractor was hired, the employee or independent contractor had been previously convicted of an offense an element of which includes fraud or the misuse of funds or property; and

(C) The employer or contracting party should have reasonably foreseen that the position for which the employee or independent contractor was being hired would involve managing the funds or property of a person other than the employer or contracting party.

(d) This section does not create a cause of action or expand an existing cause of action.

SECTION 8. Tennessee Code Annotated, Section 40-35-503, is amended by adding the following as new subsections:

(i)

(1) Notwithstanding subsection (b), there is a presumption that an eligible inmate must be released on parole, except for good cause shown, upon the

inmate reaching the inmate's release eligibility date or any subsequent parole hearing.

(2) For purposes of this subsection (i), "eligible inmate" means an inmate who:

(A)

(i) Is currently serving a sentence for a Class E or Class D felony offense; or

(ii) Is currently serving a sentence for a nonviolent felony offense, as defined in § 40-36-102;

(B) Is determined to be low risk to reoffend or most appropriately supervised in the community under the most recent validated risk and needs assessment performed under § 41-1-126;

(C) Has successfully completed the programming recommended by the department of correction based on a validated risk and needs assessment performed under § 41-1-126 or can complete any recommended programming while on parole supervision; and

(D) Has not received a serious disciplinary violation, as determined by the commissioner of correction, within one (1) year of the inmate's parole hearing.

(j) Upon declining to grant parole in any case, the board shall state in writing the reason for declining parole and how the inmate can improve the inmate's chance of being released on parole in the future.

SECTION 9. Tennessee Code Annotated, Section 40-35-503(b)(2), is amended by adding the following language before the semicolon:

, except that the board's finding that the release from custody at the time would depreciate the seriousness of the crime or promote disrespect for the law shall not be the sole basis for denying parole

SECTION 10. Tennessee Code Annotated, Section 40-35-503(g), is amended by deleting the second sentence of the subsection.

SECTION 11. Tennessee Code Annotated, Title 40, Chapter 35, Part 5, is amended by adding the following as a new section:

40-35-506.

(a) As used in this section:

(1) "Eligible inmate" means an inmate who:

(A) Is serving a felony sentence for an offense that occurred on or after July 1, 2020;

(B) Is eligible for parole consideration;

(C) Has one (1) year or less remaining until expiration of all sentences that the inmate is serving or set to serve or reaches the inmate's release eligibility date with less than one (1) year remaining until expiration;

(D) Does not have an active detainer for new or untried charges or sentences to serve in other jurisdictions;

(E) Has not been classified as maximum or close custody for disciplinary reasons for at least two (2) years; and

(F) If the inmate has previously had the inmate's probation or parole revoked, has served at least six (6) months since returning to custody after revocation of probation or parole; and

(2) "Ineligible inmate" means an inmate who:

(A) Is serving a felony sentence for an offense that occurred on or after July 1, 2020;

(B) Does not satisfy all of the criteria listed in subdivisions (a)(1)(B)-(F);

(C) Does not have an active detainer for new or untried charges or sentences to serve in other jurisdictions; and

(D) Is incarcerated when the inmate's sentence expires.

(b)

(1) The department of correction shall determine whether an inmate is an eligible inmate. Notwithstanding § 40-35-503, an eligible inmate shall be released on mandatory reentry supervision one (1) year prior to the inmate's sentence expiration date as calculated by the department or, if the inmate is not eligible for parole one (1) year prior to the inmate's sentence expiration date, upon reaching the inmate's release eligibility date. Upon release, an eligible inmate shall be subject to mandatory reentry supervision until the inmate's sentence expiration date. The release shall be under the terms and conditions established by the department of correction. The board of parole shall issue a certificate of mandatory reentry supervision to such offenders.

(2) Eligible inmates released on mandatory reentry supervision shall be considered released on parole and shall be supervised and subject to violations or revocation under title 40, chapter 28 to the same extent as discretionary parolees. All provisions relative to imposition of graduated sanctions under title 40, chapter 28 apply to eligible inmates released on mandatory reentry supervision.

(3) Upon the issuance of a violation warrant regarding an eligible inmate, the inmate shall not earn credit toward completion of the sentence until the removal of the delinquency.

(4) Mandatory reentry supervision for eligible inmates is not a commutation of sentence or any other form of executive clemency.

(c) Notwithstanding § 40-35-111, upon expiration of an ineligible inmate's sentence of confinement, the inmate must be released and subject to mandatory reentry

supervision for a period of one (1) year following the inmate's sentence expiration date under conditions to be prescribed by the department of correction. Noncriminal, technical violations of supervision conditions by ineligible inmates shall not result in revocation of supervision or incarceration. The mandatory reentry supervision period must be calculated by the department of correction.

(d) Mandatory reentry supervision under this section constitutes release into the community under the direct or indirect supervision of any state or local governmental authority or a private entity contracting with the state or a local government for purposes of § 40-35-114(13).

SECTION 12. Tennessee Code Annotated, Section 40-35-210, is amended by adding the following new subsection:

(g) When the court imposes a sentence for a defendant who has been convicted of a felony offense that occurred on or after July 1, 2020, the court shall specify in its order that the defendant may be subject to an additional year of mandatory reentry supervision pursuant to § 40-35-506 if, at the time of release, the defendant is an ineligible offender, as defined in § 40-35-506.

SECTION 13. Tennessee Code Annotated, Title 40, Chapter 35, Part 5, is amended by adding the following as a new section:

40-35-507.

Prior to expiration of a defendant's sentence and release from incarceration or parole supervision, the defendant must be assigned a caseworker from the office of reentry services created by Section 1 of this act. A defendant has no obligations with respect to the office of reentry services. Any interaction between the defendant and the office of reentry services and the office's caseworkers is voluntary on the part of the defendant and provided only to assist in the defendant's successful reentry.

SECTION 14. Tennessee Code Annotated, Section 62-76-104(b)(4)(B), is amended by deleting the language "there shall be a rebuttable presumption that the conviction relates to the

fitness of the applicant, licensee, certificate holder, or registrant engaged in the applicable occupation, profession, business, or trade" and substituting instead:

the licensing authority shall, based upon the factors in subdivision (b)(4)(A), determine whether granting or renewing a license, certificate, or registration to the applicant, licensee, certificate holder, or registrant would increase the risk that individual poses to public safety. If granting or renewing a license, certificate, or registration to the applicant, licensee, certificate holder, or registrant would substantially increase the risk that individual poses to public safety, the licensing authority shall not grant or renew the license, certificate, or registration.

SECTION 15. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 16. Sections 3-5 and 8-11 of this act shall take effect July 1, 2020, the public welfare requiring it, and apply to parole determinations made on or after that date. Section 13 of this act shall take effect January 1, 2021, the public welfare requiring it. Sections 6 and 7 of this act shall take effect upon becoming law, the public welfare requiring it, and apply to actions accruing on or after that date. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

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Signature of Sponsor

AMEND Senate Bill No. 2195

House Bill No. 2262*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 16-22-103(4)(A)(i)(c), is amended by deleting the subdivision and substituting instead the following:

(c) The person committed a felony involving the use of force against the person of another; or

SECTION 2. Tennessee Code Annotated, Section 40-35-104(c)(9), is amended by deleting the language "alternative to incarceration" and substituting instead the language "alternative to incarceration, including, but not limited to, day reporting centers,".

SECTION 3. Tennessee Code Annotated, Section 40-35-104(c)(9), is amended by adding the following language at the end of the subdivision:

As used in this section, "day reporting center" means a highly structured, non-residential, and phase-based program that combines supervision, treatment, and reentry services for moderate to high-risk offenders with a substance abuse issue or mental health issue.

SECTION 4. Tennessee Code Annotated, Section 40-35-104, is amended by adding the following as a new subsection (f):

(f) The court shall strongly consider utilizing available and appropriate sentencing alternatives for any defendant who, as appropriately documented, including through a presentence investigation under § 40-35-207(a)(10), has a behavioral health need, such as a mental illness as defined in § 33-1-101, or is chemically dependent as defined in § 16-22-103. The court has sole discretion whether to utilize available sentencing alternatives under this subsection (f).



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SECTION 5. Tennessee Code Annotated, Section 40-35-303(c)(1), is amended by adding the following language at the end of the subdivision:

The period of probation imposed shall not exceed eight (8) years for a felony offense. If the court imposes a period of probation for more than one (1) conviction, the total period of probation imposed shall not exceed eight (8) years.

SECTION 6. Tennessee Code Annotated, Section 40-35-308(c), is amended by deleting the subsection and substituting instead the following:

(c)

(1) Notwithstanding the actual sentence imposed under § 40-35-303(c), at the conclusion of a probation revocation hearing, the court shall have the authority to extend the defendant's period of probation supervision for a period not in excess of one (1) year upon determining on the record that:

(A) The defendant has repeatedly and intentionally failed to comply with court-ordered treatment programming;

(B) The defendant has intentionally violated the conditions of probation regarding contact with the victim or the victim's family; or

(C) The defendant has intentionally failed to comply with restitution orders despite having the ability to pay the restitution owed, and extending the period of probation would be more effective than other available options in ensuring that the defendant pays the remaining amount of restitution owed.

(2) If the court makes at least one (1) of the determinations in subdivision (c)(1), the court may extend probation for additional periods not in excess of one (1) year each.

SECTION 7. Tennessee Code Annotated, Section 40-35-310(a), is amended by deleting the subsection and substituting instead the following:

(a) The trial judge shall possess the power, at any time within the maximum time that was directed and ordered by the court for the suspension, after a proceeding as provided in § 40-35-311, to revoke and annul the suspension. The trial judge may order the original judgment to be in full force and effect from the date of the revocation of the suspension and may reduce the original judgment by the amount of time the defendant has successfully served on probation and suspension of sentence prior to the violation or a portion of that amount of time. If the trial judge revokes the suspension due to conduct by the defendant that has resulted in a judgment of conviction against the defendant during the defendant's period of probation, the trial judge may order that the term of imprisonment imposed by the original judgment be served consecutively to any sentence that was imposed upon the conviction.

SECTION 8. Tennessee Code Annotated, Section 40-35-310(b), is amended by deleting the language "restore the original judgment" and substituting instead the language "restore the original judgment, which may be reduced by an amount of time not to exceed the amount of time the defendant has successfully served on probation and suspension of sentence prior to the violation,".

SECTION 9. Tennessee Code Annotated, Section 40-35-311(d), is amended by redesignating the existing language as subdivision (d)(1) and adding the following language as subdivisions (d)(2) and (3):

(2) Notwithstanding subdivision (d)(1), the trial judge shall not revoke probation, temporarily under subdivision (e)(1) or otherwise, based upon one (1) instance of technical violation or violations.

(3) As used in this section, "technical violation" means an act that violates the terms or conditions of probation but does not constitute a new felony, Class A misdemeanor, or absconding.

SECTION 10. Tennessee Code Annotated, Section 40-35-311(e), is amended by deleting the subsection in its entirety and substituting instead the following:

(e)

(1) If the trial judge revokes the defendant's probation and suspension of sentence based upon a finding, by a preponderance of the evidence, that the defendant engaged in conduct that violated the conditions of probation and suspension but did not constitute a new felony or Class A misdemeanor, the trial judge may temporarily revoke the probation and suspension of sentence by order duly entered upon the minutes of the court, and:

(A) Impose a term of incarceration not to exceed:

(i) Fifteen (15) days for a first revocation;

(ii) Thirty (30) days for the second revocation;

(iii) Ninety (90) days for the third revocation; or

(iv) One (1) year or the remainder of the sentence,

whichever is shorter, for a fourth or subsequent revocation; or

(B) Resentence the defendant for the remainder of the unexpired term to any community-based alternative to incarceration authorized by chapter 36 of this title; provided, that the violation of probation and suspension is a technical violation and does not involve the commission of a new offense.

(2) If the trial judge revokes the defendant's probation and suspension of sentence based upon a finding, by a preponderance of the evidence, that the defendant has committed a new felony or Class A misdemeanor, the trial judge may revoke the probation and suspension of sentence by order duly entered upon the minutes of the court, and cause the defendant to commence the execution of the judgment as originally entered, which may be reduced by an amount of time not to exceed the amount of time the defendant has successfully served on probation and suspension of sentence prior to the violation.

(3) If the trial judge revokes the defendant's probation and suspension of sentence, the defendant has the right to appeal.

SECTION 11. Tennessee Code Annotated, Section 40-35-313(a)(1)(B)(i), is amended by deleting subdivisions (d) and (e) and substituting instead the following:

(d) Has not previously been convicted of:

(1) A felony for which a sentence of confinement was served; or

(2) A Class A misdemeanor within the previous fifteen (15) years for which a sentence of confinement was served; and

(e) Has not, within the previous fifteen (15) years or on more than one (1) occasion, been granted judicial diversion under this chapter or pretrial diversion.

SECTION 12. Tennessee Code Annotated, Section 40-36-105(8), is amended by deleting the language "accountability" and substituting instead the language "accountability and to measure the efficiency of all programs, including evaluating community corrections programs using the data provided by community corrections grant recipients pursuant to § 40-36-305(a)".

SECTION 13. Tennessee Code Annotated, Section 40-36-305(a), is amended by redesignating the first sentence of the subsection as subdivision (a)(1) and the last two sentences of the subsection as subdivision (a)(2), and adding the following language in subdivision (a)(1) after the language "defining program effectiveness":

and must collect and provide annually to the department of correction any information required by the department to evaluate the program under § 40-36-105(8), including, but not limited to:

(A) The number of individuals admitted to the program;

(B) The average caseload for caseload-bearing employees of the program;

(C) The number of successful completions of the program;

(D) The average time for an individual to successfully complete the program;

(E) The number of individuals in the program who have incurred a new arrest, new conviction, or revocation of a community correction sentence, including the type of arrest, conviction, or revocation and the underlying conduct resulting in the arrest, conviction, or revocation; and

(F) The average time an individual spends in the program before an arrest, conviction, or revocation.

SECTION 14. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 15. Sections 5-10 of this act shall take effect July 1, 2020, the public welfare requiring it, and apply to probation and diversion determinations made on or after that date. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.